
Introduced by Senator Runner

February 18, 2011

An act to amend Sections 46300 and 48000 of the Education Code, relating to kindergarten.

LEGISLATIVE COUNSEL'S DIGEST

SB 634, as introduced, Runner. Kindergarten: transitional kindergarten.

Existing law requires that a child be admitted to kindergarten at the beginning of the school year, or at a later time in the same year if the child has his or her birthday before one of the following dates: (1) December 2 of the 2011–12 school year; (2) November 1 of the 2012–13 school year; (3) October 1 of the 2013–14 school year; or (4) September 1 of the 2014–15 school year and each school year thereafter. Existing law requires, as a condition of receipt of apportionments for these purposes, that a child whose admission to a traditional kindergarten is delayed be admitted to a transitional kindergarten program, as defined.

This bill would delete the provisions of law relating to transitional kindergarten.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 46300 of the Education Code is amended
- 2 to read:
- 3 46300. (a) In computing average daily attendance of a school
- 4 district or county office of education, there shall be included the
- 5 attendance of pupils while engaged in educational activities

1 required of those pupils and under the immediate supervision and
2 control of an employee of the district or county office who
3 possessed a valid certification document, registered as required
4 by law.

5 (b) (1) For purposes of a work experience education program
6 in a secondary school that meets the standards of the California
7 State Plan for Career Technical Education, “immediate
8 supervision,” in the context of off-campus work training stations,
9 means pupil participation in on-the-job training as outlined under
10 a training agreement, coordinated by the school district under a
11 state-approved plan, wherein the employer and certificated school
12 personnel share the responsibility for on-the-job supervision.

13 (2) The pupil-teacher ratio in a work experience program shall
14 not exceed 125 pupils per full-time equivalent certificated teacher
15 coordinator. This ratio may be waived by the state board pursuant
16 to Article 3 (commencing with Section 33050) of Chapter 1 of
17 Part 20 of Division 2 under criteria developed by the state board.

18 (3) A pupil enrolled in a work experience program shall not be
19 credited with more than one day of attendance per calendar day,
20 and shall be a full-time pupil enrolled in regular classes that meet
21 the requirements of Section 46141 or 46144.

22 (c) (1) For purposes of the rehabilitative schools, classes, or
23 programs described in Section 48917 that require immediate
24 supervision, “immediate supervision” means that the person to
25 whom the pupil is required to report for training, counseling,
26 tutoring, or other prescribed activity shares the responsibility for
27 the supervision of the pupils in the rehabilitative activities with
28 certificated personnel of the district.

29 (2) A pupil enrolled in a rehabilitative school, class, or program
30 shall not be credited with more than one day of attendance per
31 calendar day.

32 (d) (1) For purposes of computing the average daily attendance
33 of pupils engaged in the educational activities required of high
34 school pupils who are also enrolled in a regional occupational
35 center or regional occupational program, the school district shall
36 receive proportional average daily attendance credit for those
37 educational activities that are less than the minimum schoolday,
38 pursuant to regulations adopted by the state board; however, none
39 of that attendance shall be counted for purposes of computing
40 attendance pursuant to Section 52324.

(2) A school district shall not receive proportional average daily attendance credit pursuant to this subdivision for a pupil in attendance for less than 145 minutes each day.

(3) The divisor for computing proportional average daily attendance pursuant to this subdivision is 240, except that, in the case of a pupil excused from physical education classes pursuant to Section 52316, the divisor is 180.

(4) Notwithstanding any other provision of law, travel time of pupils to attend a regional occupational center or regional occupational program shall not be used in any manner in the computation of average daily attendance.

(e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for five or more consecutive schooldays.

(2) A pupil participating in independent study shall not be credited with more than one day of attendance per calendar day.

(f) For purposes of cooperative career technical education programs and community classrooms described in Section 52372.1, “immediate supervision” means pupil participation in paid and unpaid on-the-job experiences, as outlined under a training agreement and individualized training plans wherein the supervisor of the training site and certificated school personnel share the responsibility for the supervision of on-the-job experiences.

(g) ~~(1) In computing the average daily attendance of a school district, there shall be included the attendance of pupils in kindergarten after they have completed one school year in kindergarten or pupils in a transitional kindergarten program after they have completed one year in that program if one of the following conditions is met:~~

~~(A) The only if the school district has on file for each of those pupils an agreement made pursuant to Section 48011, approved in form and content by the department and signed by the pupil’s parent or guardian, that the pupil may continue in kindergarten for not more than one additional school year.~~

~~(B) The pupils participated in a transitional kindergarten program pursuant to subdivision (c) of Section 48000.~~

~~(2) A school district may not include for apportionment purposes the attendance of any pupil for more than two years in kindergarten~~

1 ~~or for more than two years in a combination of transitional~~
2 ~~kindergarten and kindergarten.~~

3 SEC. 2. Section 48000 of the Education Code is amended to
4 read:

5 48000. (a) A child shall be admitted to a kindergarten
6 maintained by the school district at the beginning of a school year,
7 or at a later time in the same year, if the child will have his or her
8 fifth birthday on or before one of the following dates:

- 9 (1) December 2 of the 2011–12 school year.
10 (2) November 1 of the 2012–13 school year.
11 (3) October 1 of the 2013–14 school year.
12 (4) September 1 of the 2014–15 school year and each school
13 year thereafter.

14 (b) The governing board of a school district maintaining one or
15 more kindergartens may, on a case-by-case basis, admit to a
16 kindergarten a child having attained the age of five years at any
17 time during the school year with the approval of the parent or
18 guardian, subject to the following conditions:

19 (1) The governing board determines that the admittance is in
20 the best interests of the child.

21 (2) The parent or guardian is given information regarding the
22 advantages and disadvantages and any other explanatory
23 information about the effect of this early admittance.

24 ~~(c) As a condition of receipt of apportionment for pupils in a~~
25 ~~transitional kindergarten program pursuant to subdivision (g) of~~
26 ~~Section 46300, a school district or charter school shall ensure the~~
27 ~~following:~~

28 ~~(1) In the 2012–13 school year, a child who will have his or her~~
29 ~~fifth birthday between November 2 and December 2 shall be~~
30 ~~admitted to a transitional kindergarten program maintained by the~~
31 ~~school district.~~

32 ~~(2) In the 2013–14 school year, a child who will have his or her~~
33 ~~fifth birthday between October 2 and December 2 shall be admitted~~
34 ~~to a transitional kindergarten program maintained by the school~~
35 ~~district.~~

36 ~~(3) In the 2014–15 school year and each school year thereafter,~~
37 ~~a child who will have his or her fifth birthday between September~~
38 ~~2 and December 2 shall be admitted to a transitional kindergarten~~
39 ~~program maintained by the school district.~~

~~(c) A transitional kindergarten shall not be construed as a new program or higher level of service.~~

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